

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**LOCAL UNION NO. 626, UNITED BROTHERHOOD  
OF CARPENTERS AND JOINERS OF AMERICA  
PENSION FUND, LOCAL UNION NO. 626, UNITED BROTHERHOOD  
OF CARPENTERS AND JOINERS OF AMERICA  
WELFARE TRUST FUND,  
LOCAL UNION NO. 626, UNITED BROTHERHOOD  
OF CARPENTERS AND JOINERS OF AMERICA  
APPRENTICESHIP FUND AND ITS SUBSIDIARY,  
T/A CARPENTERS LOCAL 626 JOINT  
APPRENTICESHIP TRAINING CENTER, INC.**

**CIVIL ACTION 02-CV-2761**

**AND**

**UNITED BROTHERHOOD OF CARPENTERS AND  
JOINERS OF AMERICA, AFL-CIO LOCAL 626 OF  
DELAWARE, DELAWARE STATE REGIONAL  
COUNCIL OF CARPENTERS, INTERNATIONAL  
HEALTH & SAFETY TRAINING FUND/  
MARKETING FUND, CARPENTERS LOCAL 626  
POLITICAL ACTION COMMITTEE AND JOSEPH DURHAM  
PLAINTIFFS**

**vs.**

**MIDDLE STATES DRYWALL, INC.,  
J.R. COLDIRON & SONS, INC.,  
COLDIRON ENTERPRISES, INC.,  
COLDIRON BUILDING, INC.,  
ALN CONSTRUCTION,  
JOHN D. COLDIRON,  
JOHN R. COLDIRON,  
BRENDA PETERSON AND  
GREG PETERSON**

**DEFENDANTS**

**CRAWFORD, WILSON & RYAN, LLC AND MICHAEL T. IMMS, ESQUIRE'S  
MOTION FOR LEAVE TO WITHDRAWAL AS COUNSEL FOR  
DEFENDANT COLDIRON BUILDING, INC.**

Crawford, Wilson & Ryan, LLC and Michael T. Imms, Esquire respectfully move this Honorable Court grant leave to withdraw as counsel for Defendant Coldiron Building, Inc. for the reasons set forth in the accompanying Memorandum of Law.

**Respectfully submitted,**

**CRAWFORD, WILSON & RYAN, LLC**

**BY: \_\_\_\_\_**

**MICHAEL T. IMMS, ESQUIRE  
ATTORNEY I.D. NO. 77510  
220 WEST GAY STREET  
WEST CHESTER, PA 19380  
610-836-3000**

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JOHN D. COLDIRON,  
JOHN R. COLDIRON,  
BRENDA PETERSON AND  
GREG PETERSON**

**DEFENDANTS**

**ORDER**

**AND NOW**, this                      day of                      , 2005, upon consideration of the Motion of counsel and any response thereto, it is hereby **ORDERED** that Crawford, Wilson & Ryan, LLC and Michael T. Imms, Esquire are permitted to withdraw as counsel for Defendant Coldiron Building, Inc. Defendant should find substitute counsel or proceed pro se.

**BY THE COURT:**

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**J.**

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**DEFENDANTS**

**CRAWFORD, WILSON & RYAN, LLC AND MICHAEL T. IMMS, ESQUIRE'S  
MEMORANDUM OF LAW IN SUPPORT OF THEIR  
MOTION FOR LEAVE TO WITHDRAWAL AS COUNSEL FOR  
DEFENDANT COLDIRON BUILDING, INC.**

Crawford, Wilson & Ryan, LLC is a professional LLC, organized under the laws of the Commonwealth of Pennsylvania with an address of 220 West Gay Street, West Chester, Pennsylvania.

Michael T. Imms is an adult individual licensed to practice law in the Supreme Court of the Commonwealth of Pennsylvania, Attorney I.D. No. 77510 together Crawford, Wilson & Ryan, LLC and Michael T. Imms will be referred to as "Attorneys").

Defendant Coldiron Building, Inc. will be hereinafter be referred to as "Coldiron".

Attorneys entered their appearance on behalf of Coldiron in this matter intending at that time to represent them in the defense of Plaintiffs' claims. Attorneys filed an Answer on Coldiron's behalf. Subsequently, Coldiron consulted another law firm who practiced bankruptcy. Following that consultation, Coldiron indicated to Attorneys that it would be pursuing a course of bankruptcy and that Attorneys were to cease any activity on its behalf until further notice. Attorneys have never received any further instructions from Coldiron regarding the defense of its claims in the above-captioned matter or whether or not it has successfully been discharged in bankruptcy. Subsequently, any further attempts by the Attorneys to contact Coldiron have gone unanswered.

In March, 2005, Attorneys received a call from the Court requesting a status on the case. Attorneys attempted to contact Coldiron by telephone on two (2) occasions in March, 2005 and by way of a letter dated April 1, 2005. Coldiron did not return Attorneys' calls, nor respond to the letter of April 1, 2005. Attorneys again attempted to contact Coldiron by telephone in April, but their messages went unreturned. Attorneys are due an outstanding balance from Coldiron for the services which had been rendered which has gone unpaid. Attorneys understood that if Coldiron was successful in filing its Bankruptcy Petition, that this debt would be discharged, however, Attorneys have never received any notice regarding the status of a bankruptcy filing from Coldiron and cannot tell whether or not this debt has been discharged.

Because of the failure of Coldiron to communicate with the Attorneys and to pay or indicate that the outstanding charge had been discharged, the attorney-client relationship between Coldiron and Attorneys has been irrevocably severed. Attorneys are of the opinion that they can no longer provide competent and zealous advocacy to Coldiron in this or any other matter.

For these reasons, Attorneys request this Honorable Court to grant leave for them to withdraw as counsel for Coldiron in this matter.

WHEREFORE, Crawford, Wilson & Ryan, LLC and Michael T. Imms, Esquire respectfully move this Honorable Court to grant them leave to withdrawal as counsel for Defendant Coldiron Building, Inc. and direct that Coldiron retain other counsel or proceed pro se.

**Respectfully submitted,**

**CRAWFORD, WILSON & RYAN, LLC**

**BY:** \_\_\_\_\_

**MICHAEL T. IMMS, ESQUIRE  
ATTORNEY I.D. NO. 77510  
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**DEFENDANTS**

**CERTIFICATION OF SERVICE**

This is to certify that a true and correct copy of Crawford, Wilson & Ryan, LLC and Michael T. Imms, Esquire's Motion to Withdrawal as Counsel for Defendant Coldiron Building, Inc. and the Memorandum of Law in support thereof, was served on all counsel of record and unrepresented parties by means of forwarding a true and correct copy of said documentation on the        day of May, 2005, via First Class, U.S. Mail, postage prepaid, to:

Coldiron Building, Inc.  
c/o John P. Coldiron  
136 Farm View Drive  
Oxford, PA 19363

Middle States Drywall, Inc.  
17 West Miner Street  
West Chester, PA 19381

J.R. Coldiron & Sons, Inc.  
P.O. Box 460  
Newport Gap Pike  
Avondale, PA 19311

Coldiron Enterprises, Inc.  
17 West Miner Street  
P.O. Box 660  
West Chester, PA 19381

ALN Construction  
P.O. Box 7717  
Wilmington, DE 19803

John D. Coldiron  
845 Waterway Road  
Oxford, PA 19363

John R. Coldiron  
17 West Miner Street  
P.O. Box 660  
West Chester, PA 19381

Brenda Peterson  
P.O. Box 7717  
Wilmington, DE 19803

Greg Peterson  
P.O. Box 7717  
Wilmington, DE 19803

Marc L. Gelman, Esquire  
Jennings Sigmond  
510 Walnut Street  
Suite 1600  
Philadelphia, PA 19106  
Counsel for Plaintiffs

**CRAWFORD, WILSON & RYAN, LLC**

**BY:**

**MICHAEL T. IMMS, ESQUIRE  
ATTORNEY I.D. NO. 77510  
220 WEST GAY STREET  
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